

EXHIBIT A

Ullman, Emily

From: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>
Sent: Tuesday, March 03, 2020 8:15 AM
To: Marc Dann; Ullman, Emily
Cc: Kelly Bilek; Thomas Bilek; Mr. Scott Bickford; Emily White I; Celeste Brustowicz; xOpioid NAS
Subject: Re: NAS Plaintiffs' Motion to Intervene -- Sealing

[EXTERNAL]

All of your proposals are fine. No need to email a separate copy of anything to chambers. Thanks.
-d

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This email sent from:
David R. Cohen Co. LPA
24400 Chagrin Blvd., Suite 300
Cleveland, OH 44122
216-831-0001 tel
866-357-3535 fax
www.SpecialMaster.law

From: Marc Dann <mdann@dannlaw.com>
Sent: Tuesday, March 3, 2020 7:01 AM
To: Ullman, Emily <eullman@cov.com>
Cc: David Cohen <david@davidrcohen.com>; David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; Kelly Bilek <kbilek@bileklaw.com>; Thomas Bilek <tbilek@bileklaw.com>; Mr. Scott Bickford <srb@mbfirm.com>; Emily White I <ewhite@dannlaw.com>; Celeste Brustowicz <cburstowicz@clfnola.com>; xOpioid NAS <xOpioidNAS@arnoldporter.com>
Subject: Re: NAS Plaintiffs' Motion to Intervene -- Sealing

Special Master:

We do not have an objection to filing as proposed.

We would, however, like the opportunity to reply to Defendants brief. Would the court allow Plaintiffs until March 10, 2020 (7 days) to respond to Defendants' opposition?

Marc Dann
DannLaw

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On Tue, Mar 3, 2020 at 6:53 AM Ullman, Emily <eullman@cov.com> wrote:
Special Master,

We wanted to reach out in advance of today's filing of the opposition to Plaintiffs' motion to intervene to ask how we should handle confidential medical information contained in that opposition. Specifically, Defendants will include in their opposition information from Ms. Poe's medical records, plaintiff fact sheets, and interrogatory responses, and also intend to attach those materials as exhibits. We understand that plaintiffs have marked this material confidential and because it is personal medical information we do not object to keeping it sealed, although plaintiffs have of course not yet had the chance to review the exact content.

Based on your previous orders regarding sealing and your instructions that confidential medical information shall be redacted, we jointly wanted to propose the following procedure:

Defendants will file a redacted copy of the brief on the docket today as well as all non-confidential exhibits. We would then email you and Plaintiffs the full, unredacted materials and exhibits. (Is there a chambers address we should include on this email as well?) Plaintiffs would have a chance to review the materials and let us know by Thursday if they wish to keep the redacted information under seal, and we would then file an unredacted version of the brief and exhibits under seal with an accompanying motion on Friday.

Please let us know if this is acceptable to you or if you would like us to alter anything. We appreciate your consideration.

Best,

Emily

From: Marc Dann <mdann@dannlaw.com>

Sent: Tuesday, February 25, 2020 1:44 PM

To: David Cohen <david@davidrcohen.com>

Cc: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; Ullman, Emily <eullman@cov.com>; Kelly Bilek <kbilek@bileklaw.com>; Thomas Bilek <tbilek@bileklaw.com>; Mr. Scott Bickford <srb@mbfirm.com>; Emily White I <ewhite@dannlaw.com>; Celeste Brustowicz <cbrustowicz@clfnola.com>; xOpioid NAS <xOpioidNAS@arnoldporter.com>

Subject: Re: Opioid Filings Tomorrow

[EXTERNAL]

Special Master,

We have no opposition to Defendants' proposed deadline to file an opposition.

For the record, however, we respectfully disagree with the Defendants' characterization of Ms. Poe's motion to intervene. Rule 24 gives her a right to protect her interests under circumstances such as this, particularly where one of the class representatives only recently became disqualified through no fault of the putative class. Moreover, we disagree that Defendants will be prejudiced by the intervention. As discussed in Ms. Poe's brief, discovery for the class certification motion is still on going, we have provided substantial, relevant discovery related to Ms. Poe, we have offered to extend expert report deadlines to account for Ms. Poe, and the deadline (April 1, 2020) to oppose the certification is over a month out.

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On Tue, Feb 25, 2020 at 12:56 PM David Cohen <david@davidrcohen.com> wrote:

One week is fine

From: Ullman, Emily <eullman@cov.com>

Sent: Tuesday, February 25, 2020 10:51:19 AM

To: Marc Dann <mdann@dannlaw.com>; David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>

Cc: Kelly Bilek <kbilek@bileklaw.com>; Thomas Bilek <tbilek@bileklaw.com>; Mr. Scott Bickford <srb@mbfirm.com>;

Emily White I <ewhite@dannlaw.com>; Celeste Brustowicz <cbrustowicz@clfnola.com>; xOpioid NAS

<xOpioidNAS@arnoldporter.com>

Subject: RE: Opioid Filings Tomorrow

Special Master,

Although Marc describes this as a "motion to intervene," it is in fact a motion to amend Plaintiffs' Complaint in the *Frost* matter, despite it being nearly five months after the deadline set by the Court for complaint amendments, and two months after the Court reaffirmed in its decision regarding the *Salmons* complaint that the amendment deadline was firm. Defendants will be highly prejudiced by the addition of a new class representative at this late date. We have passed the completion of class representative depositions, are in the middle of serving our expert reports, which were drafted with the existing class representatives in mind, and are only a month prior to the deadline for Defendants' opposition to class certification.

Given the untimeliness and potential prejudice to Defendants of adding a new class representative at this point, Defendants would appreciate the opportunity to file a formal response to this motion. We suggest that it be due in a week if that is convenient for the Court.

Thanks,

Emily

From: Marc Dann <mdann@dannlaw.com>

Sent: Monday, February 24, 2020 4:30 PM

To: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>

Cc: Ullman, Emily <eullman@cov.com>; Kelly Bilek <kbilek@bileklaw.com>; Thomas Bilek <tbilek@bileklaw.com>; Mr. Scott Bickford <srb@mbfirm.com>; Emily White I <ewhite@dannlaw.com>; Celeste Brustowicz <cbrustowicz@clfnola.com>

Subject: Fwd: Opioid Filings Tomorrow

[EXTERNAL]

Special Master Cohen:

Attached please find our motion to intervene on behalf of Ashley Poe.

Please advise us of any steps beyond making this filing that will be required.

Marc Dann
DannLaw

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----- Forwarded message -----

From: **Edward Juhn** <edward@dannlaw.com>

Date: Mon, Feb 24, 2020 at 12:58 PM

Subject: Re: Opioid Filings Tomorrow
To: Jeremy J. Landry <jjl@mbfirm.com>
Cc: Thomas Bilek <tbilek@bileklaw.com>, Marc Dann <mdann@dannlaw.com>, Kelly Bilek <kbilek@bileklaw.com>, Michael A. Smith Jr. <msmith@dannlaw.com>, Scott R. Bickford <srb@mbfirm.com>

Good afternoon,

Attached please find the Time Stamped copy of the Motion to intervene with all attachments.

On Mon, Feb 24, 2020 at 9:48 AM Jeremy J. Landry <jjl@mbfirm.com> wrote:

Eddie,

Please find attached the motion to intervene, the MIS of that motion, the proposed intervening class action complaint and the proposed order.

Also, on the proposed complaint, I updated the TOC, but please check to make sure that I did that correctly.

If you have any questions, please do not hesitate to call me at 985.502.8648.

Thanks!

Jeremy J. Landry, Esq.

Martzell, Bickford & Centola, A.P.C.

jjl@mbfirm.com

From: Thomas Bilek <tbilek@bileklaw.com>
Sent: Monday, February 24, 2020 8:35 AM
To: Edward Juhn <edward@dannlaw.com>
Cc: Marc Dann <mdann@dannlaw.com>; Jeremy J. Landry <jjl@mbfirm.com>; Kelly Bilek <kbilek@bileklaw.com>; Michael A. Smith Jr. <msmith@dannlaw.com>
Subject: Re: Opioid Filings Tomorrow

You are only dealing with OH Complaint. I do not understand why you are discussing CA plaintiffs. Perhaps you should call me at 713-898-6304.

Sent from my iPhone

On Feb 24, 2020, at 6:32 AM, Edward Juhn <edward@dannlaw.com> wrote:

Good morning all, Who do we still represent in this case? Right now I have a note that we represent "Frost, Barnwell and Ramirez", I need to confirm before filing so I know who to choose when I'm filing, thanks.

On Mon, Feb 24, 2020 at 5:12 AM Marc Dann <mdann@dannlaw.com> wrote:

I'm pretty sure I got it all.

On Sun, Feb 23, 2020 at 10:42 PM Jeremy J. Landry <jjl@mbfirm.com> wrote:

Will do. I wasn't aware about the Sackler issue, but will eliminate references to them as defendants

Sent from my iPhone

On Feb 23, 2020, at 7:38 PM, Thomas Bilek <tbilek@bileklaw.com> wrote:

I don't think you have to reference any consent to proceed. Sacklers can stay in as non-party. Just make any reference as defendant is omitted.

Sent from my iPad

On Feb 23, 2020, at 5:11 PM, Marc Dann
<mdann@dannlaw.com> wrote:

Jeremy Please send the final versions of the proposed filings for Ashley Poe to Edward@dannlaw.com and Msmith@dannlaw.com as soon as they ready.

My understanding is that you are going to make one more review for claims against sacklers (there are plenty of references to sacklers as non-party co-conspirators and those should stay) add a note that defense counsel does not consent to the filing and put all of the documents into final form for Eddie to file. I have written consent from the client to proceed.

I'm in a mediation tomorrow and will have sporadic availability but Mike and Eddie should be able to handle whatever comes in.

Marc
Marc Dann
DannLaw

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